

## REMARKS

Claims 11 and 41-43 were pending up to this Amendment and Response.

Claim 11 is rejected.

Claim 11 is cancelled.

Claims 41-43 are allowed.

Claims 41-43 are pending as a result of this Amendment and Response.

### I. Rejected claims

The Examiner rejected claim 11 under §102 in light of Japanese Pat. No. 06-275568. Applicants have cancelled this claim in the interest of publishing the allowed claims. However, Applicants intend to further pursue this cancelled claim in a continuation application. Applicants will bear in mind the Examiner's comments regarding this claim. Accordingly, Applicants request that claim 11 be cancelled without prejudice.

### II. Allowed claims

The Examiner allowed claims 41-43. In doing so, the Examiner interpreted the preamble's first and second metal line to be a single metal line. Specifically, the Examiner assumed the figures' elements 20 and 32 represented the metal lines. Applicants note that the figures' two elements 18 also support the reference to a first and second metal line. Although these elements were labeled as insulators for ease of explaining some exemplary embodiments within the scope of the invention, the Specification also expresses that such description is not limiting and that other exemplary embodiments within the scope of the invention involve forming other structures, including "any recess" between two protruding features in other layers. (Specification at p. 4, ln. 16-19; p. 9, ln. 17-p. 10, ln. 3.) Applicants note that a similar issue has been raised previously in a sibling application and has been resolved in Applicants' favor. (See

Amendment and Response to the Office Action dated March 20, 2002 at p. 2-3, received on 6/24/02 by the PTO, concerning prosecution of U.S App. Ser. No 09/471,460 (both '460 and the current application are divisionals of U. S. App. Ser. No. 09/046,835, filed Oct. 24, 1997 and issued as U.S. Pat. No. 6,117,764); *see also* '460's subsequent Office Action dated 8/12/02 (refraining from raising this issue).)

Conclusion

In light of the above amendment and remarks, Applicants submit that the application is in condition for issuance. Therefore, Applicants respectfully request allowance of all of the pending claims. Please address further correspondence with this application to: Charles B. Brantley, II, Micron Technology, Inc., Mail Stop 525, 8000 S. Federal Way, Boise, ID 83706-9632, telephone number (208) 368-4557.

MICRON, TECHNOLOGY, INC.

Date 11/4/3

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